

# EXHIBIT 8



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June 10, 2025

VIA EMAIL ONLY

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**Re: In the Matter of COEYMAN'S MARINE TOWING, LLC D/B/A CARVER  
MARINE TOWING AS Owner and Operator of M/T Mackenzie Rose Case  
No. 2:24-cv-00490 (United States District Court, Eastern District of Virginia)**

Counsel:

We are in receipt of your letter dated June 3, 2025, in which you state that Carver's supplemental responses and document productions appear incomplete according to the Court's Order dated April 25, 2025 (Doc. 50) (the "Order"). We believe your letter misconstrues Carver's recent supplemental document productions in a number of significant respects. The discussion that follows identifies certain errors in your characterization of those productions.

In compliance with the Court's Order, Carver has produced over 1,000 pages of responsive documents (CARVER 944-1957), about 1,900 pages of non-privileged, responsive email communications (CARVER ESI 0001-1867), and over 1,600 pages of electronic Helm CONNECT records (CARVER TBS HELM CONNECT 0001-1618) from TBS Safety, a third-party vendor. In conjunction with the Responses, Carver engaged in a complete and comprehensive search and review of its files and has produced all responsive, non-privileged documents.

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### **Carver's Answers to the 1<sup>st</sup> Rogs**

The April 25 Order lists the Belt Line's First Set of Interrogatories Nos. 4, 7, 17, 18, 19, 20, and 21. Carver served its First Supplemental Answers to the Belt Line's First Set of Interrogatories on May 23, 2025, and supplemented its answers to Interrogatories Nos. 4, 7, 8, 9, 10, 11, 15, 16, 17, 18, 19, 20 and 21. Any prior objections to the aforementioned interrogatories are moot in light of the Court's Order. Notwithstanding, see Carver's Notice of Withdrawal of its Objections per the Court's Order of April 25, 2025 (Doc. 50) enclosed herein.

### **Carver's Responses to the 1<sup>st</sup> RFPs**

The April 25 Order lists the Belt Line's First Set of Requests for Production Nos. 4, 16, 17, 20, 21, 22, 33, and 34. Since the date of the Order, Carver has produced numerous supplemental responses and documents to the Belt Line's First Set of Requests for Production. Specifically, Carver produced its Second Supplemental Response on May 22, 2025, its Third Supplemental Response on May 23, 2025, its Amended Third Supplemental Response on May 28, 2025, and its Fourth Supplemental Response on June 9, 2025. Below please find Carver's responses to the table in your June 3, 2025 letter.

<b>Request No.</b>	<b>Information Sought</b>	<b>Missing Information</b>	<b>Carver's Response</b>
<b>17</b>	Reports of displacement, drafts, trim, or list of M/T MACKENZIE ROSE for June 10 - 20, 2024.	No supplemental response was provided after the Order.	Carver is attempting to retrieve the requested data.  Data responsive to this request are in Rose Point and will be produced upon receipt
<b>20</b>	M/T MACKENZIE ROSE radar logs for June 10 - 20, 2024.	No supplemental response was provided after the Order.	Carver is not in possession of any documents responsive to Request No. 20. The Mackenzie Rose did not have radar.
<b>22</b>	M/T MACKENZIE ROSE telex and fax logs for June 10 - 20, 2024.	No supplemental response was provided after the Order.	Carver is not in possession of any documents responsive to Request No. 22.
<b>33</b>	Surveys, appraisals, and valuations of the M/T MACKENZIE ROSE for January 1, 2019 through December 31, 2024.	No supplemental response was provided after the Order.	See Carver's Response to NPBL's Rogs served 3-25-25, CARVER 796-815. See also Carver's Fourth Supplemental Response to NPBL's 2 <sup>nd</sup> RFP, CARVER 1929-1957, served 6-9-25

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**Carver's Responses to the 2<sup>nd</sup> RFPs**

The April 25 Order lists the Belt Line's Second Set of Requests for Production Nos. 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 14. Since the date of the Order, Carver has produced numerous supplemental responses and documents to the Belt Line's Second Set of Requests for Production. Specifically, Carver produced its Third Supplemental Response on May 6, 2025, its Fourth Supplemental Response on May 22, 2025, and its Fifth Supplemental Response on June 9, 2025. Below see Carver's response to the table in your June 3, 2025 letter.

<b>Request No.</b>	<b>Information Sought</b>	<b>Missing Information</b>	<b>Carver's Response</b>
3	Documents relating to James Morrissey's training from Carver from January 1, 2020 to present.	Only produced documents dating back to 2023. No documents from 2020-2023.	There are no documents from 2020-2023 because none exist. See Carver's Fourth Supplemental Response to NPBL'S 2 <sup>nd</sup> RFP served 5-22-25
4	Documents relating to the disciplinary history of James Morrissey.	No supplemental response was provided after the Order.	See CARVER ESI 001628-1634, served 5-28-25 in Carver's Third Amended Supplemental Response to NPBL's 2 <sup>nd</sup> RFP served 5-28-25
5	Documents including "near miss" reports relating to the steering, navigation, and autopilot system on the M/T MACKENZIE ROSE from January 1, 2020 to present.	Only produced documents dating back to 2022. No documents from 2020-2022.	Carver is not in possession of responsive documents to Request No. 5.  See also CARVER 001146
6	Documents relating to prior accidents of the M/T MACKENZIE ROSE within the past 10 years.	Only produced documents dating back to 2020. No documents from 2015-2020.	Carver is not in possession of responsive documents from 2015 to 2020.  See Carver's First Supplemental Answer to NPBL's Rogs, No. 19 served 5-23-25 and Carver's Fourth Supplemental Response to NPBL'S 2 <sup>nd</sup> RFP served 5-22-25

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7	Documents relating to prior accidents involving James Morrissey within the past 10 years.	Only produced documents dating back to 2020. No documents from 2015-2020.	See Carver's Fourth Supplemental Response to NPBL's 2 <sup>nd</sup> RFP served 5-22-25, CARVER TBS HELM CONNECT 171-181. Otherwise, Carver is not in possession of responsive documents from 2015-2020.
8	Documents relating to or evidencing the repairs and/or work done on the Vessel for the period of June 12, 2024 through June 14, 2024.	No responsive documents produced after the Order.	See Carver's Fourth Supplemental Response to NPBL's 2 <sup>nd</sup> RFP served 5-22-25, CARVER TBS HELM CONNECT 277-280
10	Documents evidencing malfunctions of the steering, navigation, and autopilot system on the M/T MACKENZIE ROSE within the past 10 years.	Documents produced are not responsive and only date back to 2020. No documents from the last ten years.	There are no responsive documents before 2020 because Carver acquired the tug in 2020. NPBL's was advised of this on 5-23-25, <b>after</b> the Order was entered.  See Carver's First Supplemental Answer to NPBL's Rogs, No. 19, served 5-23-25
11	Documents evidencing training relating to the steering, navigation, and autopilot system on the M/T MACKENZIE ROSE from January 1, 2020 to present.	No supplemental response was provided after the Order.	See Carver's Response to Evanston's Requests for Production, CARVER 911-941, served 4-25-25, the date of the Order
14	Documents evidencing company protocols for reporting allisions from January 1, 2020 to present.	No supplemental response was provided after the Order.	A copy of the SMS taken directly from Helm Connect was produced in Carver's 5 <sup>th</sup> Supplemental Response to NPBL's 2 <sup>nd</sup> RFP

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### **Documents Identified in Depositions**

Counsel for the Belt Line made no supplemental document demands during the four Carver personnel depositions the week of April 28, 2025—despite Carver’s counsel’s request for Norfolk’s counsel to clearly state their demands on the record. Norfolk’s counsel replied that there were no new demands and that any documents referenced in the depositions were already requested in the Belt Line’s First and Second Set of Requests for Production. Consequently, Carver is only responding to the specific demands subject to the Court’s Order dated April 25.

To the extent the demands in your May 5 and June 9 correspondences are duplicative of the RFPs outlined in the Court’s April 25 Order, responses to those demands are included in Carver’s supplemental productions and Carver’s Fourth Supplemental Response to the Belt Line’s First Requests for Production and Carver’s Fifth Supplemental Response to the Belt Line’s Second Requests for Production served June 9, 2025. Below see Carver’s response to the table in your letters dated May 5, 2025 and June 3, 2025.

<b>Relevant RFP</b>	<b>Document description</b>	<b>Deponent</b>	<b>Missing Information</b>	<b>Carver’s Response</b>
1st RFP No. 14	Electronic versions of photographs of the bridge and barge taken from the M/T MACKENZIE ROSE on June 15, 2024, including all metadata	All	Not produced (exhibits 1, 2 are incomplete thumbnail images).	Electronic photos were served PST format on 5-23-25. See Carver’s Third Supplemental Response to NPBL’s 2 <sup>nd</sup> RFP, CARVER 001075-1079. See also Carver’s Amended Third Supplemental Production, CARVER ESI 000969-000975 served 5-28-25
2nd RFP No. 11-14	Employee Safety Handbook ("ESH"); including every version of the ESH, whether paper or ESI, and any record or log of changes made to it	Sharif Porter	Not produced.	See Carver’s Fourth Supplemental Response to NPBL’s 2 <sup>nd</sup> RFP served 5-22-25, CARVER 001351-1698. See also Carver’s Fifth Supplemental Response to NPBL’s 2 <sup>nd</sup> Requests for Production, CARVER TBS HELM CONNECT 00732-1078, served 6-9-25

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1 <sup>st</sup> RFP No. 2	Personnel files of the MIT MACKENZIE ROSE crew members, including both paper and ESI formats	Brian Moore and Leonard Baldassare — deposition exhibits 8, 10, 12, 14, 16	Incomplete personnel files.	See Carver's Second Supplemental Response to NPBL's 1 <sup>st</sup> RFP served 5-22-25, CARVER 001087-1350
2 <sup>nd</sup> RFP No. 4	Documents pertaining to James Morrissey's suspension, being placed on administrative leave,	Brian Moore	Not produced.	See Carver's Amended Third Supplemental Production, served 5-28-25, CARVER ESI 1628-1634
1 <sup>st</sup> RFP No. 30 & 34	Communications to/from Mr. Baldassare's work cell phone on June 15-20, 2024, including texts, emails, photographs, videos and phone call logs	Leonard Baldassare	Not produced.	Mr. Baldassare's work cell phone is being processed by a third-party.  Responsive documents will be produced upon receipt from the third-party vendor.
1 <sup>st</sup> RFP No. 30 & 34	Communications to/from Mr. Moore's work cell phone on June 15-20, 2024, including texts, emails, photographs, videos and phone call logs	Brian Moore and Leonard Baldassare	Not produced.	Mr. Moore did not have a Carver issued cell phone. For Mr. Moore's emails, see Carver's Amended Third Supplemental Production, CARVER ESI 000001-1867, served 5-28-25
1 <sup>st</sup> RFP No. 30 & 34	Communications between Mr. Moore and Mr. Baldassare relating to CG-2692 form, including drafts, texts, emails, photographs, videos and phone call logs	Brian Moore and Leonard Baldassare	Not produced.	Communications were served PST format in Carver's Third Supplemental Response to NPBL's 1st RFP's on 5-23-25. See also Carver's Amended Third Supplemental Production, CARVER ESI 000001-1867 served 5-28-25



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1 <sup>st</sup> RFP No. 30 & 34	Communications to/from the phone onboard the M/T MACKENZIE ROSE on June 15, 2024, including texts, emails, photographs, videos and phone call logs	All	Not produced.	Communications were served PST format in Carver's Third Supplemental Response to NPBL's 1st RFP's on 5-23-25. See also Carver's Amended Third Supplemental Production, CARVER ESI 000001-1867 served 5-28-25
2 <sup>nd</sup> RFP No. 2	Communications with Tug and Barge Solutions related to Carver's purchase of the SMS and Helm Connect, including any record or log of changes made to them	Brian Moore and Leonard Baldassare	Not produced.	Communications were served PST format in Carver's Third Supplemental Response to NPBL's 1st RFP's on 5-23-25. See also Carver's Amended Third Supplemental Production, CARVER ESI 000001-1867 served 5-28-25
1st RFP No. 30	Communications to or with the United States Coast Guard relating to the June 15, 2024 allision	Brian Moore and Leonard Baldassare	Incomplete. Missing correspondence from before Clyde & Co's involvement.	Communications were served PST format in Carver's Third Supplemental Response to NPBL's 1st RFP's on 5-23-25. See also Carver's Amended Third Supplemental Production, CARVER ESI 000001-1867 served 5-28-25
2 <sup>nd</sup> RFP No. 9	Certificate of Inspection of the M/T MACKENZIE ROSE from January 2025	Leonard Baldassare	Not produced.	No Certificate of Inspection from January 2025 because the Mackenzie Rose COI does not expire until 2026. See COI served 5-22-25 in Carver's 4 <sup>th</sup> Supplemental Response to NPBL's 2 <sup>nd</sup> RFP



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2 <sup>nd</sup> RFP No. 3	Annual Review Form from ride-along with James Morrissey	Leonard Baldassare	Not produced.	Carver is not in possession of any documents responsive this request
1 <sup>st</sup> RFP No. 16 & 26	January 1-September 30, 2024 Deck Log from M/T MACKENZIE ROSE, whether paper or ESI, including any record or log of changes made to ESI versions	All exhibits 6, 7, 23	Incomplete.	See Carver's Third Supplemental Response to NPBL's First Request for Production, served 5-28-25, CARVER TBS HELM CONNECT 000281-731
1 <sup>st</sup> RFP No. 16 & 26	January 1-September 30, 2024 Engine Log from M/T MACKENZIE ROSE, whether paper or ESI, including any record or log of changes made to ESI versions	All exhibits 20, 22	Incomplete.	Carver requested the Engine Logs directly TBS Safety and still is awaiting receipt of same.  The Engine Logs will be produced upon receipt from TBS Safety
1 <sup>st</sup> RFP No. 1 & 26	Legible copy of crew hours worked reports	Brian Moore and Leonard Baldassare	Not produced	Produced via email on 4-28-25. See also produced in Carver's Fourth Supplemental Response to NPBL's 1 <sup>st</sup> Requests for Production, served 6-9-25, CARVER 00096-110, 229-232
1 <sup>st</sup> RFP No. 26	9.4 Risk Assessment Form for June 15, 2024	Leonard Baldassare	Not produced	Carver is not in possession of any documents responsive this request

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**Conclusion**

In conjunction with the Responses, Carver has produced approximately 4,500 pages of additional documents, as well as video and photographs. We also provided on June 9, 2025, the sworn Declaration of Josef Malik, Esq., Chief Legal Counsel of Carver, who has attested to Carver's compliance. We believe Carver's production fully complies with both the letter and the spirit of the Court's Order.

Very truly yours,

A handwritten signature in blue ink, appearing to read "James H. Rodgers", with a long horizontal flourish extending to the right.

James H. Rodgers

CC: James L. Chapman  
W. Ryan Snow  
Mackenzie Pensyl  
Chris Jones  
Zachary M. Jett  
Mark C. Nanavati